I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: M.S. – AF Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Box 1450, Alexandria, VA 22313-1450 on:

3 December 2004

Date of Deposit

Our File No. CAL01-005-US

Paul E. Rauch, Ph.D.

Name

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nancy Allbritton, et al.

Serial No. 09/990,413

Filing Date: November 21, 2001

For Method to Measure the Activation State of Signaling Pathways in Cells

| Compare Cheyne D. Ly | Group Art Unit No. 1631

NOTICE OF APPEAL

Mail Stop - AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated June 3, 2004, finally rejecting Claims 66-82 and 86-101. Claims 83-85 have been withdrawn. Pursuant to 37 C.F.R. § 1.17(b), the fee for this Notice of Appeal is \$170.00. A Credit Card Payment Form is enclosed to cover the required fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3123. A duplicate copy of this sheet is enclosed.

12/09/2004 JBALINAN 00000007 09990413

01 FC:2401

170.00 OP

Paul E. Rauch, Ph.D.

Registration No. 38,591

Respectfully submitted.

Evan Law Group LLC 566 West Adams Suite 350 Chicago, Illinois 60661